

REMARKS/ARGUMENTS

Amendments were made to the specification to correct errors and to clarify the specification. No new matter has been added by any of the amendments to the specification.

Claims 1 and 4-7 are pending in the present application. Claims 1 and 4-7 have been amended, and Claims 2, 3 and 8-16 have been cancelled, herewith. Reconsideration of the pending claims is respectfully requested.

Applicants are not conceding in this application that these Claims 1 and 4-7, prior to their being amended herewith, are not patentable over the cited art provided by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the present application. Applicants respectfully reserve the right to pursue these and other claims in one or more continuation and/or divisional patent applications.

I. Objection to Specification

The disclosure in the Specification was objected to, with the Examiner noting that (i) ‘step xxx’ should be ‘step 201’ on page 9, and (ii) an improper inclusion of a hyperlink on page 9. Applicants have amended the Specification herewith to correct these issues.

Therefore, the objection to the Specification has been overcome.

II. 35 U.S.C. § 101

Claim 14 stands rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

Applicants have cancelled such claim herewith, without prejudice or disclaimer, for possible pursuit in a continuation application.

Therefore, the rejection of Claim 14 under 35 U.S.C. § 101 has been overcome.

III. 35 U.S.C. § 103, Obviousness

Claims 1 and 8 stand rejected under 35 U.S.C. § 103 as being unpatentable over Bordeaux (U.S. Patent No. 5,758,023) in view of Hoffberg (U.S. Publication No. 2003/0050784). This rejection is respectfully traversed.

With respect to Claim 1, Applicants have amended such claim to include features previously recited in Claims 2 and 3 (which are thus being cancelled herewith). In addition, Claim 1 has been amended in accordance with a preferred embodiment depicted in Figures 3A-3C of the current application, and as described at page 7, line 10 through page 13, line 8. It is urged that none of the

references cited in the current Office Action teach or suggest the claimed plurality of voice recognition software programs that are each operable for transcribing a different language, where the *selection of which one to initially use is based upon a language determination being made prior to such selection*. For example, the cited Bordeaux reference which is cited as teaching the claimed voice recognition software selection actually teaches a *manual user selection* (Bordeaux col. 5, lines 26-28). This is not an automated selection based upon an automated language determination as per the features of amended Claim 1. While the Hoffberg reference is cited as teaching the claimed language determination step, such language determination is not used to determine which one of a plurality of voice recognition software programs to select for transcribing an audio file, but instead is used to categorize content (Hoffberg paragraph 0014). In contrast, amended Claim 1 recites “*responsive to determining said language of said text in said web page, selecting a voice recognition software program of said language of said text from a plurality of voice recognition software programs that are each operable for transcribing a different language*” and “*using said selected voice recognition software to transcribe said audio file*”. Thus, it is urged that amended Claim 1 is not anticipated by, or obvious in view of, the cited references as there are missing claimed features that are not taught or suggested by the cited references.

Still further, such cited references do not teach or otherwise suggest successively (i) selecting a series of other voice recognition software program and (ii) using a given one of the selected programs for transcribing an audio file if a previous attempt at transcribing the audio file was not successful. These claimed features advantageously provide for improving the odds for successfully transcribing an audio file of unknown language origin by sequencing through a plurality of different voice recognition software programs. Prior systems had chronic problems is correctly determining the language of an audio file (Specification page 2, lines 7-8). Thus, it is further urged that amended Claim 1 is not anticipated by, or obvious in view of, the cited references as there are additional missing claimed features that are not taught or suggested by the cited references.

Claim 8 has been cancelled herewith, without prejudice or disclaimer, for possible pursuit in a continuation application.

Therefore, the rejection of Claims 1 and 8 under 35 U.S.C. § 103 has been overcome.

IV. 35 U.S.C. § 103, Obviousness

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Bordeaux (U.S. Patent No. 5,758,023) in view of Hoffberg (U.S. Publication No. 2003/0050784) as applied to claim 1 above, and further in view of Zoarez (U.S. Publication No. 2002/0091509). This rejection is respectfully traversed.

Applicants traverse the rejection of Claim 2 for similar reasons to those given above with respect to Claim 1, as it shown that the additional cited reference in the present claim rejection do not overcome the teaching deficiencies identified above with respect to Claim 1.

Therefore, the rejection of Claim 2 under 35 U.S.C. § 103 has been overcome.

V. 35 U.S.C. § 103, Obviousness

Claims 3, 4, 6, 7, 9, 10, 12, 13 and 14 stand rejected under 35 U.S.C. § 103 as being unpatentable over Bordeaux (U.S. Patent No. 5,758,023) in view of Hoffberg (U.S. Publication No. 2003/0050784) as applied to claim 1 above, and further in view of Caccuro et al. (U.S. Patent No. 5,440,615). This rejection is respectfully traversed.

Claim 3 has been cancelled herewith, as such features are now included in amended Claim 1.

Applicants traverse the rejection of Claims 4, 6 and 7 for similar reasons to those given above with respect to Claim 1, as it shown that the additional cited references in the present claim rejection do not overcome the teaching deficiencies identified above with respect to Claim 1.

Claims 9, 10, 12, 13 and 14 have been cancelled herewith, without prejudice or disclaimer, for possible pursuit in a continuation application.

Therefore, the rejection of Claims 3, 4, 6, 7, 9, 10, 12, 13 and 14 under 35 U.S.C. § 103 has been overcome.

VI. 35 U.S.C. § 103, Obviousness

Claims 15 and 16 stand rejected under 35 U.S.C. § 103 as being unpatentable over Bordeaux (U.S. Patent No. 5,758,023) in view of Hoffberg (U.S. Publication No. 2003/0050784) in view of Caccuro et al. (U.S. Patent No. 5,440,615) as applied to claims 3, 9 and 14 above, and further in view of the Admitted Prior Art (APA). This rejection is respectfully traversed.

Claims 15 and 16 have been cancelled herewith, without prejudice or disclaimer, for possible pursuit in a continuation application.

Therefore, the rejection of Claims 15 and 16 under 35 U.S.C. § 103 has been overcome.

VII. 35 U.S.C. § 103, Obviousness

Claims 5 and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over Bordeaux (U.S. Patent No. 5,758,023) in view of Hoffberg (U.S. Publication No. 2003/0050784) in view of Caccuro et al. (U.S. Patent No. 5,440,615) as applied to claim 3 above, and further in view of Taylor (U.S. Publication No. 2002/0161580). This rejection is respectfully traversed.

Applicants traverse the rejection of Claim 5 for similar reasons to those given above with respect to Claim 1, as it shown that the additional cited references in the present claim rejection do not overcome the teaching deficiencies identified above with respect to Claim 1.

Claim 11 has been cancelled herewith, without prejudice or disclaimer, for possible pursuit in a continuation application.

Therefore, the rejection of Claims 5 and 11 under 35 U.S.C. § 103 has been overcome.

VIII. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

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